

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON
PORTLAND DIVISION

OREGON HEALTH & SCIENCE
UNIVERSITY,

Plaintiff,

Case No. 3:10-cv-1140-BR

v.

Hon. Anna J. Brown

UNITED STATES OF AMERICA,

Defendant.

STIPULATION AND ORDER OF DISMISSAL

IT IS STIPULATED AND AGREED, by and between plaintiff, Oregon Health & Science University ("Plaintiff"), and defendant, United States of America ("Defendant"), and pursuant to Fed. R. Civ. P. 41(a)(1)(A)(ii), that in light of the January 11, 2011 decision by the United States Supreme Court in *Mayo Foundation for Education & Research, et al., v. United States* (09-837), Plaintiff's claims against Defendant in this action are hereby withdrawn and dismissed without prejudice.

It is further STIPULATED AND AGREED, by and between Plaintiff and Defendant, that each party is to bear its own fees and costs.

Dated: February 15, 2011

Respectfully submitted,

Dwight C. Holton, Esquire
United States Attorney

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*Attorneys for Oregon Health & Science
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SO ORDERED:

 2/17/2011
HON. ANNA J. BROWN